
By: Delegates Vallario, Genn, Dembrow, and Doory

Introduced and read first time: January 24, 1997

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Courts - Evidence - Paid Bills**

3 FOR the purpose of establishing a rebuttable presumption that, on certain testimony, a
4 paid bill for goods or services provided is authentic and the charges of the provider
5 are fair and reasonable; providing for certain procedures; providing for the
6 application of this Act; and generally relating to the establishment of a certain
7 evidentiary presumption concerning paid bills under certain circumstances.

8 BY adding to

9 Article - Courts and Judicial Proceedings
10 Section 10-105
11 Annotated Code of Maryland
12 (1995 Replacement Volume and 1996 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article - Courts and Judicial Proceedings**

16 10-105.

17 (A) THE PROVISIONS OF THIS SECTION APPLY TO A CIVIL OR CRIMINAL
18 ACTION IN THE DISTRICT COURT OR A CIRCUIT COURT.

19 (B) SUBJECT TO THE PROVISIONS OF THIS SECTION, THE AUTHENTICITY OF A
20 BILL FOR GOODS OR SERVICES PROVIDED AND THE FAIRNESS AND
21 REASONABLENESS OF THE CHARGES OF THE PROVIDER OF THE GOODS OR
22 SERVICES SHALL BE REBUTTABLY PRESUMED ON TESTIMONY:

23 (1) IDENTIFYING THE ORIGINAL BILL OR AN AUTHENTICATED COPY;
24 AND

25 (2) (I) IDENTIFYING THE PROVIDER OF THE GOODS OR SERVICES;

26 (II) EXPLAINING THE CIRCUMSTANCES SURROUNDING THE
27 RECEIPT OF THE BILL;

28 (III) DESCRIBING THE GOODS OR SERVICES PROVIDED;

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1 (IV) STATING THAT THE GOODS OR SERVICES WERE PROVIDED IN
2 CONNECTION WITH THE EVENT GIVING RISE TO THE ACTION; AND

3 (V) STATING THAT THE BILL WAS PAID.

4 (C) THE PRESUMPTION DESCRIBED UNDER THIS SECTION APPLIES ONLY IF,
5 AT LEAST 30 DAYS BEFORE THE BEGINNING OF THE TRIAL, THE PARTY WHO
6 INTENDS TO INTRODUCE THE BILL FILES WITH THE CLERK OF THE COURT AND
7 SERVES ON ALL OTHER PARTIES AS PROVIDED UNDER MARYLAND RULE 1-321:

8 (1) NOTICE OF THE PARTY'S INTENT TO INTRODUCE THE BILL WITHOUT
9 THE SUPPORT OF THE TESTIMONY OF THE PROVIDER OF THE GOODS OR SERVICES
10 THAT WERE BILLED; AND

11 (2) A COPY OF THE BILL.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed
13 only prospectively and may not be applied or interpreted to have any effect on or
14 application to any case filed before the effective date of this Act.

15 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 1997.